

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Elmar R. Burchart Confirmation No. 8752
Serial No.: 09/701,313 Group Art Unit: 1644
Filed: November 28, 2000 Examiner: Maher M. Haddad
For: Monoclonal Antibody and Assay for Detecting PIIINP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR § 1.804

Sir:

I, David Brock, declare as follows:

1. I am currently an employee of SIEMENS HEALTHCARE DIAGNOSTICS, INC., the present assignee of the above-referenced patent application, and was previously an employee of the BAYER CORPORATION, the assignee of the above-referenced patent application at the time the patent application was filed.

2. Based on first-hand knowledge, I attest that the cell line deposited with the American Type Culture Collection (ATCC) Patent Depository on October 14, 2008, identified as Murine Hybridoma 35J22 and assigned ATCC accession number PTA-9545, is the same murine hybridoma cell line specifically identified in the above-referenced patent application from which the monoclonal antibody identified as mAb 35J22 was produced.


3. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States

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Code and that such willful false statements may jeopardize the validity of the application or any patent issues thereon.

Respectfully submitted,

Dated: December 18, 2008


David Brock